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EMERGING TRENDS IN PATENT FILINGS AND GRANTS UNDER THE

INDIAN PATENTS ACT

- ***HINDUJA.B.R***

India is experiencing a remarkable growth in patent activity. Globally, patent applications reached 3.55 million in 2023[1], and India's share is growing rapidly. The Data from the Indian Patent Office (IPO) and WIPO project filings in India has jumped ~17% to over 90,000 applications in 2023[2]. This boom has produced over 75,000 patents granted in FY2023, a sharp rise from just a few thousand registrations a decade ago. Part of this growth is due to the policy changes, which increased recruitment of controllers in 2023 accelerated the disposals. As a result, average pendency dropped dramatically from about 53 months to 18 months for many applications which resulted in inventors getting decisions faster. The year-on-year increase in grants and filings signals both a maturing innovation and greater administrative capacity.

DOMESTIC Vs. FOREIGN FILINGS

Historically, most Indian patents were filed by foreign companies, but in 2023 Indian residents filed **55.2%** of all applications, for the first time domestic filings outnumbered foreign ones. A decade ago, Indian residents accounted for only ~25% of filings[3]. This reflects growing R&D by Indian firms, start-ups and research institutes. Among foreign

[1] World Intellectual Property Indicators 2024: Highlights – Patents Highlights, WIPO, https://www.wipo.int/web-publications/world-intellectual-property-indicators-2024-highlights/en/patents-highlights.html (last visited Sept. 22, 2025). wipo.int

[2] Shanker, A. and Singh, P. (no date) *India's innovation soars: Over 75,000 patents granted in 2023, FICPI*. Available at: https://ficpi.org/blog/indias-innovation-soars-over-75000-patents-granted-2023 (Accessed: 22 September 2025).

[3] World Intellectual Property Indicators 2024, supra note 1.

patentees, Qualcomm, Samsung, Huawei and Ericsson have been top filers in India; Qualcomm alone filed ~3,000 applications in 2023. However, dominant patent owners in India are still foreigners, about 176,000 foreign-held patents vs. ~47,000 Indian-owned[4]. Indian innovators are closing the gap: for example, IIT Madras doubled its grants from 156 to 300 in one year[5].

Government schemes like Start-up India, innovation missions, patent filing subsidies for MSMEs and greater awareness have encouraged domestic filings in India. At the same time, India remains a key market for MNCs, who still invest in IP protection here. The balance now favours Indian applicants more than ever, but foreign MNC's continue to file heavily – India's IPO data shows non-resident filings primarily by US, European and East Asian companies remain substantial.

SECTORIAL INNOVATION HOTSPOTS

Patent growth is not uniform across fields. Electronics, IT and communications technologies dominate filings – computer science & electronics (25,826 apps), mechanical (14,811) and chemical (13,093) were the top IPC classes in 2023[6]. There are **virtually no new pharmaceutical** applications in India due to Section 3(d) standards and generic competition. Instead, high-tech and engineering areas are "hotbeds" of activity. India's innovation rise is particularly pronounced in **AI, software and computing**, **biotech**, **medical devices**, and **engineering solutions**. For example, patent filings in AI and deep tech have risen, helping India jump from 9th to 6th globally in patent filings by origin[7].

Green energy and clean-tech are emerging focus areas. With a national push towards renewables and electric vehicles, filings in solar, wind, batteries and waste management are rising. One survey estimated over 60,000 "green energy" patents in force by 2022 (90% in alternate energy and waste processing)[8]. Indian start-ups and universities are increasingly

[4] Goswami, T. *et al.* (2025) *Looking beyond the numbers: What does the 2023-24 IP India Annual Report say on Patents?*, *SpicyIP*. Available at: https://spicyip.com/2025/04/looking-beyond-the-numbers-what-does-the-2023-24-ip-india-annual-report-says-on-patents.html (Accessed: 22 September 2025).
[5] *India's innovation soars: Over 75,000 patents granted in 2023, supra note 2*
[6] *Looking beyond the numbers: What does the 2023-24 IP India Annual Report say on Patents?*,supra note 8
[7] Ibef (2025) *India's patent growth: Innovation & competitiveness: IBEF, India Brand Equity Foundation*. Available at: https://ibef.org/blogs/harnessing-innovation-how-patent-filings-in-india-fuel-economic-growth-and-global-competitiveness (Accessed: 22 September 2025).
[8] DPS Parmar (2024) *Fast-tracking cleantech patenting in India: IP stars, asialaw.* Available at: https://www.asialaw.com/NewsAndAnalysis/fast-tracking-cleantech-patenting-in-india/Index/1960 (Accessed: 22 September 2025).

patenting in this space, often using **expedited examination**. For instance, EV start-up Matter Motors secured patents within seven months under the fast-track rules. The IPO's 2024 rules allow start-ups including clean-tech ventures to fast-track exams, which many women inventors and SMEs are leveraging.

In pharmaceuticals and life sciences, after a break due to strict standards, the picture is mixed. India still has a mature generic sector, but there are signs of renewed patenting in biotech and medical sector for e.g. biotech start-ups, medical device innovations etc. The number of biotech and biomedical applications were 7,000 in 2023 suggesting growth to R&D in health tech. Key sectors noted for recent "proliferation" includes *biotechnology**,** healthcare devices**, and** AI-driven drug discovery*.

REGULATORY AND PROCEDURAL CHANGES

Several IPO initiatives and legislative changes are shaping these trends. The 2023 **Jan Vishwas Act**, effective August 2024, decriminalized many patent compliance offenses. Minor procedural lapses now attract fines instead of jail time. This "ease of doing IP" encourages innovators to file, especially small entities and start-ups that fear harsh penalties[9]. On the other hand, penalties were stiffened for repeat fraud to deter abuse.

The IPO also streamlined processes: e-filing is now mandatory, more controllers have been hired, and timelines have been compressed. Notably, average examination pendency has fallen sharply. The IPO's 2024 Rules introduced *expedited examination* (Rule 24C) for all start-ups and certain industries, not just government requests. Likewise, **Patent Prosecution Highway (PPH)** agreements with several offices help applicants accelerate grants in India.

Pre-grant oppositions (PGOs) have been curtailed by new rules: Rule 55 now allows the Controller to dismiss frivolous oppositions early. As a result, the number of PGOs plunged from 800 in 2019-20 to just 366 in 2023-24, reducing uncertainty for applicants. Penalty reforms via Jan Vishwas also exempted many patents from having to file expensive annual statements, benefiting technology companies by lowering compliance burdens.

[9] Admin (2025) *Jan vishwas act 2023: Key amendments to patent law & implications for IP compliance in India: Aggarwal Associates, Aggarwal Associates*. Available at: https://aggarwalassociates.com/intellectual-property/jan-vishwas-act-2023-analysis/ (Accessed: 22 September 2025).

Finally, national policies like the IP Policy 2016, Innovation Missions, and Start-up India continue to promote IP awareness. The IPO and allied ministries have launched Patent Facilitation Centers, financial grants, and training programs in engineering colleges. Such measures – along with international rankings – have incentivized academic institutions to file more patents though sometimes controversially, as quality vs. quantity is debated.